

**CITY OF MONTEREY PARK
PLANNING COMMISSION AGENDA**

REGULAR MEETING

**Monterey Park City Hall – Council Chambers
320 West Newmark Avenue
Monterey Park, CA 91754**

**TUESDAY
FEBRUARY 23, 2016
7:00 PM**

MISSION STATEMENT

**The mission of the City of Monterey Park is to provide excellent services
to enhance the quality of life for our entire community.**

Staff reports, writings, or other materials related to an item on this Agenda, which are distributed to the Planning Commission less than 72 hours before this scheduled meeting are available for public inspection in the City Clerk's Office located at 320 West Newmark Avenue, Monterey Park, CA 91754, during normal business hours. Such staff reports, writings, or other materials are also on the City's website subject to staff's ability to post the materials before the meeting. The City's website is located at <http://ci.monterey-park.ca.us/home/index.asp>. Copies of staff reports and/or written documents pertaining to any item on the Agenda are on file in the Community and Economic Development Department – Planning Division and are available for public inspection during regular business hours.

PUBLIC COMMENTS ON AGENDA ITEMS

For members of the public wishing to address the Planning Commission regarding any item on this Agenda, including Oral Communications, please fill out a speaker card and return it to Planning staff before the announcement of the Agenda Item.

Speakers are provided five (5) minutes per individual on each published agenda item. Individual speakers may consolidate time with another speaker's time; the total consolidated time cannot exceed two (2) minutes per speaker giving up time. However in the interest of ensuring that all members of the Public have an equal opportunity to participate, a single speaker cannot speak for more than ten (10) minutes on an individual Agenda item. If there are a large number of speakers on a particular agenda item, the Chairperson, as confirmed by the Planning Commission, may reduce the amount of time allotted to each speaker or limit the total amount time allowed for speakers to address the agenda item. At the conclusion of that period of time, the speaker will be asked to please conclude their remarks so that the next speaker may begin their comments.

In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call City Hall, (626) 307-1359. Please notify the Community and Economic Development Department twenty-four hours prior to the meeting so that reasonable arrangements can be made to ensure availability of audio equipment for the hearing impaired. Council Chambers are wheelchair accessible.

CALL TO ORDER – Chairperson Rodrigo Garcia

PLEDGE OF ALLEGIANCE

ROLL CALL – Commissioners Choi, Sullivan, Lee, and Leung

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

ORAL AND WRITTEN COMMUNICATIONS

MINUTES – None

[1.] CONSENT CALENDAR - None

[2.] UNFINISHED BUSINESS - None

[3.] NEW BUSINESS (PUBLIC HEARING)

3-A. CODE AMENDMENT AMENDING MONTEREY PARK MUNICIPAL CODE CHAPTERS 21.04 AND 21.24 REGARDING REGULATION OF SIGNS (CA-15-04)

The City is recommending amendments to Monterey Park Municipal Code ("MPMC") Chapters 21.04 (*Definitions*) and 21.24 (*Sign Regulations*) regarding sign regulations. Last year, the United States Supreme Court issued an opinion affecting sign regulations nationwide. The changes proposed in the draft ordinance are generally insubstantial; they are minor changes intended to ensure that the signage regulations are consistent with federal law. The proposed code amendment is intended to clarify existing definitions and code provisions relative to signage and will not significantly impact the types of the signs that are currently approved throughout the City.

The consideration of the recommendations to the City Council for amending the Monterey Park Municipal Code is exempt from the California Environmental Quality Act ("CEQA") for two reasons. First, pursuant to CEQA Guidelines, 14 California Code of Regulations § 15061(b) (3), the ordinance is exempt from CEQA because it can be seen with certainty that the proposed changes will not have significant effects on the environment. In addition, the proposed amendments are not a project as defined under § 15378 of the CEQA Guidelines because it has no potential for resulting in physical change in the environment, directly or ultimately.

It is recommended that the Planning Commission consider taking the following actions:

- (1) Open the public hearing;
- (2) Consider the evidence presented during the public hearing;
- (3) Adopt a Resolution recommending that the City Council adopt an ordinance amending Monterey Park Municipal Code (MPMC) Chapters 21.04 and 21.24; and
- (4) Take such additional, related, action that may be desirable.

[4.] COMMISSION COMMUNICATIONS

[5.] FUTURE AGENDA ITEMS AS DIRECTED BY THE COMMISSION

[6.] STAFF UPDATES

[7.] CLOSED SESSION

ADJOURN

To the next regularly scheduled meeting on March 8, 2016

APPROVED BY:

MICHAEL A. HUNTLEY	
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Planning Commission Staff Report

DATE: February 23, 2016

AGENDA ITEM NO: 3-A

TO: The Planning Commission
FROM: Michael A. Huntley, Community and Economic Development Director
SUBJECT: A Public Hearing to Consider an ordinance amending MPMC Chapters 21.04 and 21.24 regulating signs (CA-15-04).

RECOMMENDATION:

It is recommended that the Planning Commission consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopting the Resolution recommending that the City Council adopt an ordinance amending MPMC Chapter 21.04 and 21.24 regulating signs; and
- (5) Take such additional, related, action that may be desirable.

Environmental Assessment:

The consideration of the recommendations to the City Council for amending the Monterey Park Municipal Code is exempt from the California Environmental Quality Act ("CEQA") for two reasons. First, pursuant to CEQA Guidelines, 14 California Code of Regulations § 15061(b) (3), the ordinance is exempt from CEQA because it can be seen with certainty that the proposed changes will not have significant effects on the environment. In addition, the proposed amendments are not a project as defined under § 15378 of the CEQA Guidelines because it has no potential for resulting in physical change in the environment, directly or ultimately.

Executive Summary:

The City is recommending amendments to Monterey Park Municipal Code ("MPMC") Chapters 21.04 (*Definitions*) and 21.24 (*Sign Regulations*) regarding sign regulations. Last year, the United States Supreme Court issued an opinion affecting sign regulations nationwide. The changes proposed in the draft ordinance are generally insubstantial; they are minor changes intended to ensure that the signage regulations are consistent with federal law. The proposed code amendment is intended to clarify existing definitions and code provisions relative to signage and will not significantly impact the types of the signs that are currently approved throughout the City.

Summary

On June 15, 2015, the Supreme Court issued a ruling which further limits governmental agencies' ability to restrict the content of what is included on signage.

In response to the ruling, the City Attorney's office reviewed the sign regulations for provisions that could be perceived as inconsistent with the Court's holding. The proposed amendments are intended to correct any potential infirmities in the existing sign regulations.

The ruling resulted from a case in which a town cited a church pastor for placing temporary signs directing the public to the sites of his Sunday services. The church had no fixed location and was holding services at various public locations (e.g., elementary schools) in and around the town. The pastor was cited for failing to include the event date on the signs and for exceeding the maximum display duration by a matter of hours, both requirements of the town's code. When he was unable to resolve the matter with the town, he and his church filed suit in federal court alleging the sign ordinance abridged their freedom of speech in violation of the First Amendment. The District Court and the Ninth Circuit Court of Appeals both ruled in favor of the town. The United States Supreme Court reversed.

There were two issues presented in the case: (1) whether the town's sign ordinance imposed content-based restrictions on speech, and (2) if so, whether the restrictions were narrowly tailored to further a compelling governmental interest.

The Court found the answer to the first question to be self-evident. The sign ordinance was content based on its face. The restrictions that applied to any given sign depended entirely on the communicative content of the sign. For example, signs pertaining to elections were subject to different timing conditions than were signs providing directions to a temporary event. Signs pertaining to other topics were required to comply with their own unique conditions. In finding the town's sign regulations to be content-based on their face, the Court illustrated the problem this way: "If a sign informs its reader of the time and place a book club will discuss John Locke's Two Treatises of Government, that sign will be treated differently from a sign expressing the view that one should vote for one of Locke's followers in an upcoming election, and both signs will be treated differently from a sign expressing an ideological view rooted in Locke's theory of government. More to the point, the Church's signs inviting people to attend its worship services are treated differently from signs conveying other types of ideas."

Because the ordinance clearly imposed content-based restrictions, it was subject to strict scrutiny. The restrictions could only be upheld if they were narrowly tailored to further a compelling governmental interest. The Town offered two governmental interests in support of the distinctions drawn by its sign ordinance: preserving the Town's aesthetic appeal and traffic safety. The Court dismissed both arguments, holding that even if aesthetics and traffic were assumed to be compelling governmental interests, the distinctions established in the sign ordinance were "hopelessly under-inclusive." Temporary directional signs are "no greater an eyesore" than ideological or political ones, yet the ordinance allowed for the unlimited proliferation of larger

ideological signs while strictly limiting the number, size, and duration of smaller directional ones.

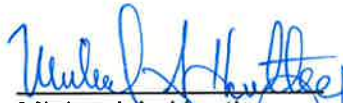
In terms of traffic safety as a state interest, the town offered "no reason to believe that directional signs pose a greater threat to safety than do ideological or political signs. If anything, a sharply worded ideological sign seems more likely to distract a driver than a sign directing the public to a nearby church meeting." Because the Court found the differential treatment among signs to be arbitrary, it held that the sign ordinance failed under the strict scrutiny analysis. If the Town were truly concerned about traffic safety and aesthetics, the Court noted there are several ways to regulate signs that have nothing to do with the sign's message, such as regulations regarding size, materials, lighting, number of signs allowed in a given area, distinctions between the placement of signs on private versus public property, distinctions between fixed message signs and electronic signs with changes messages, moving parts, and portability.

Finally, the Court noted that there may well be a very limited subset of content-based signs that could survive the application of strict scrutiny, such as warning signs marking hazards, signs directing traffic, or street numbers associated with private houses.

Legal Notification

The legal notice of this hearing was posted at City Hall, Monterey Park Bruggemeyer Library, and Langley Center on **January 28, 2016** and published in the Wave on **February 4, 2016**, with affidavits of posting and publication on file.

Respectfully submitted,


Michael A. Huntley
Community and Economic
Development Director

Prepared by:


Samantha Tewasart
Senior Planner

Reviewed by:


Karl H. Berger
Assistant City Attorney

Attachments:

Exhibit A: Draft Resolution
Exhibit B: Draft Ordinance

21.04.797 Sign. (Definition of "Sign." Proposed amendments to subparagraphs H, AA, KK, and MM shown below.)

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(H) **"Campaign sign"** means a temporary freestanding sign ~~erected for candidates or issues in an upcoming~~ displayed not more than 45 days before, and not more than 7 days following, any election in which residents of the city of Monterey Park are eligible to vote.

(AA) **"Mobile sign"** means any sign mounted, attached, ~~or affixed, or painted upon to~~ any surface of a motor vehicle, trailer or similar conveyance, ~~and is~~ for the primary purpose of advertising.

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(KK) **"Real estate sign"** means ~~a temporary sign indicating that the premises on which the sign is located is for sale, lease or rent~~ any sign authorized by Civil Code section 713.

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(MM) **"Sign"** means any structure, device, or material, temporary or permanent, fixed or portable, moving or stationary, whether located inside or outside a building, that is visible from any property where the primary purpose of the sign is to convey visual communication. "Sign" does not include the following:

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- (1) Interior signs that are located entirely within an enclosed structure and not visible from the exterior;
- (2) Building features that are only decorative or architectural and do not include lettering, trademarks, or moving parts;
- (3) Symbols of noncommercial organizations or concepts including, without limitation, religious or political symbols when they are permanently integrated into the structure of a building;
- (4) Items or devices of personal apparel, decoration or appearance including, without limitation, tattoos or makeup;
- (5) ~~Marks on tangible products that identify the maker, seller, provider or product, and that customarily remain attached to the product even after completion of a sale;~~

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- ~~(6)~~(5) Traffic, directional, emergency, warning or informational signs required or authorized by a government agency having

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jurisdiction;

(76) Public utility signs;

(87) Advertisements or banners mounted on duly licensed mass transit vehicles including, without limitation, buses and trains, that legally pass through the city;

(98) Grave stones or grave markers;

~~(10) Insignia located on legal vehicles~~(9) Words, images, graphics and water craft including, without limitation, license plates, registration insignia, noncommercial messages, messages relating applied directly to the business for which the vehicle is an instrument or tool, and messages relating to the proposed sale, lease or exchange surface of vehicles or watercraft;

~~(1110)~~ Foundation stones and corner stones if cut into any masonry surface or inlaid to be part of a building when constructed of bronze or other incombustible material; and

~~(1211)~~ Newsracks and newsstands.

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21.24.170 Mobile Signs.

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~~(A) Except as otherwise provided by this chapter, mobile~~ Mobile signs are prohibited.

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~~(B) This section does not apply to mobile signs where the copy relates only to the business or establishment of which the vehicle itself is a part; pertains to the sale, rent, lease, or hiring of such vehicle; or is a noncommercial message.~~

21.24.230 Exempted Signs. (Proposed amendments to subparagraphs I and P shown below.)

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(I) **Noncommercial Messages—Residential Uses.** Noncommercial signs displayed ~~in legal dwelling units on residential properties~~ must comply with the following:

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(1) Signs cannot exceed a maximum cumulative area of six square

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feet.

- (2) Signs cannot exceed a maximum height of eight feet.
- (3) Not more than two noncommercial signs (except campaign signs) may be placed on a lot.
- (4) Freestanding signs must be placed at least five feet back from the property line.
- (5) Illuminated signs are prohibited.

(P) **Temporary Real Estate Directional Signs.** ~~Signs~~Temporary real estate directional signs authorized by Civil Code section 713 that identify and provide directional information to any ~~residential~~ property that is offered for sale, lease or ~~for rent for the first time~~exchange must comply with the following:

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- (1) Signs must be located only along the most direct single route to the ~~residential~~ property along arterial streets.
- (2) Not more than one sign is permitted at each intersection.
- (3) Signs must be removed when the subject property is sold or, ~~for temporary signs,~~ when the event ends.
- (4) Signs cannot exceed nine square feet in area.
- (5) Signs cannot exceed five feet in height.
- (6) Signs cannot be displayed on public property.

~~(7) Temporary real estate directional signs allowed under this section are in addition to those specifically allowed by State law.~~

21.24.510 Temporary Freestanding Signs—Number and Time Limits.

(A) **Residential Zones.** Two temporary freestanding signs per lot are permitted at all times. In addition, one temporary freestanding campaign sign is allowed ~~for each political candidate or issue~~ on each street frontage per lot. All campaign signs must be removed within seven days after the election ~~for to~~ which they are ~~intended~~related. Such signs are in

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addition to all other signage allowed in this chapter.

- (B) **Commercial, Office Professional and Open Space Zones.** Two temporary freestanding noncommercial signs per lot are permitted at all times. In addition, one temporary freestanding campaign sign is allowed ~~for each political candidate or issue~~ on each street frontage per lot. All campaign signs must be removed within seven days after the election ~~for~~to which they are ~~intended~~related. Such signs are in addition to all other signage allowed in this chapter.

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EXHIBIT A

Draft Resolution

RESOLUTION NO.

A RESOLUTION RECOMMENDING THAT CITY COUNCIL ADOPT AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE ("MPMC") CHAPTERS 21.04 AND 21.24 REGARDING REGULATION OF SIGNS.

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. A review of the Monterey Park Municipal Code ("MPMC") suggests that amendments are needed to improve the City's regulations governing, among other things, the regulation of signs;
- B. On February 23, 2016, Community and Economic Development Department presented draft regulations to the Planning Commission for consideration. The Planning Commission provided direction for improving the regulations. Thereafter, the regulations were reviewed by the Community and Economic Development Department for, in part, consistency with the General Plan and conformity with the MPMC;
- C. The City reviewed the project's environmental impacts under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines"), and the City's Environmental Guidelines;
- D. The Community and Economic Development Department completed its review and scheduled the public hearing regarding the application before the Planning Commission for February 23, 2016;
- E. On February 23, 2016, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the draft Ordinance attached as Exhibit "A," and incorporated by reference, including, without limitation, information provided to the Planning Commission by City staff and public testimony; and
- F. This Resolution and its findings are made based upon the evidence presented to the Commission at its February 23, 2016, hearing including, without limitation, the staff report submitted by the Community and Economic Development Department.

SECTION 2: *Environmental Assessment.* Because of the facts set forth in Section 2, the proposed Ordinance is exempt from further environmental review under the

PLANNING COMMISSION
RESOLUTION NO.
PAGE 2 OF 3

California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq.*) because the proposed Ordinance constitutes only minor revisions and clarifications to existing regulations and specification of procedures related thereto; and consists of actions taken to assure the maintenance, protection and enhancement of the environment. The Ordinance, therefore, does not have the potential to cause significant effects on the environment. Consequently, it is categorically exempt from further CEQA review under 14 California Code Regulations §§ 15301, 15305, and 15308.

SECTION 3: General Plan Findings. As required under Government Code § 65860 the MPMC amendments proposed by the Ordinance are consistent with the Monterey Park General Plan. It is a goal of the Land Use Element of the General Plan to maintain the quality and character of Monterey Park’s commercial districts. The proposed code amendments are minor changes intended to ensure that the signage regulations are consistent with federal law. The proposed code amendment is intended to clarify existing definitions and code provisions relative to signage.

SECTION 4: Recommendations. The Planning Commission recommends that the City Council adopt the draft ordinance set forth in attached Exhibit “A,” which is incorporated into this resolution by reference.

SECTION 5: Reliance On Record. Each and every one of the findings and determination in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 6: Limitations. The Planning Commission’s analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission’s lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the city’s ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 7: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 8: The Commission secretary is directed to mail a copy of this Resolution to any person requesting a copy.

**PLANNING COMMISSION
RESOLUTION NO.
PAGE 3 OF 3**

SECTION 9: This Resolution may be appealed within nineteen (19) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

PASSED AND ADOPTED this 23rd day of February 2016.

I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 23rd day of February 2016, by the following vote of the Planning Commission:

AYES:
NOES:
ABSTAIN:
ABSENT:

Rodrigo Garcia, Chairperson
City of Monterey Park Planning Commission

ATTEST:

Michael Huntley, Secretary

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

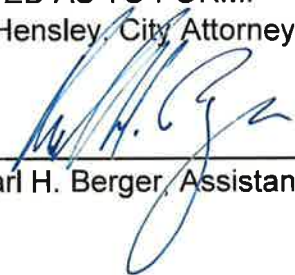
By: 
Karl H. Berger, Assistant City Attorney

EXHIBIT B

Draft Ordinance

ORDINANCE NO. _____

**AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL
CODE CHAPTERS 21.04 AND 21.24 REGARDING REGULATION
OF SIGNS.**

The City Council of the city of Monterey Park does ordain as follows:

SECTION 1: The City Council finds as follows:

- A. On June 18, 2015, the United States Supreme Court issued its opinion in the case of *Reed v. Town of Gilbert* (2015) 135 S.Ct. 2218. There, the Court struck down several provisions of the town's sign regulations that imposed different time, place and manner restrictions depending entirely on the communicative content of the sign. After reviewing the Monterey Park Municipal Code ("MPMC"), it is apparent that amendments are desirable to avoid any potential challenge in light of the *Reed* decision. Amendments to the MPMC implemented by this ordinance seek to eliminate or otherwise rectify sign regulations within the MPMC that could be perceived as impermissibly content-based in the wake of the Court's ruling.
- B. Pursuant to MPMC § 21.38.050, the City Council finds as follows:
 1. The amendments to the MPMC are consistent with the goals, policies and objectives of the General Plan. The proposed amendments will not affect a change in the permissible uses of property and will not substantively affect existing time, place or manner restrictions applicable to signs. Rather, the proposed amendments will eliminate or rectify those regulations that could potentially be viewed as impermissibly content-based in the wake of the ruling in *Reed v. Town of Gilbert*.
 2. The amendments to the MPMC will not adversely affect surrounding properties. The proposed amendments will operate citywide and will not affect a change in the use or the intensity of use of property in any zone. The proposed amendments simply eliminate or otherwise rectify existing regulations that could potentially be viewed as impermissibly content-based in the wake of *Reed v. Town of Gilbert*.
 3. The amendments to the MPMC promote public health, safety, and general welfare and serves the goals and purposes of the MPMC's zoning regulations. As amended, the sign regulations set forth in the MPMC will continue to promote the public health, safety, and general welfare while serving the goals and purposes of the zoning

regulations. The proposed amendments merely eliminate or rectify those provisions that could conceivably be viewed as impermissible content-based restrictions in the wake of *Reed v. Town of Gilbert*.

SECTION 2. MPMC § 21.04.797(H) is amended to read as follows:

- “(H) **“Campaign sign”** means a temporary freestanding sign displayed not more than 45 days before, and not more than 7 days following, any election in which residents of the city of Monterey Park are eligible to vote.”

SECTION 3. MPMC § 21.04.797(AA) is amended to read as follows:

- “(AA) **“Mobile sign”** means any sign mounted, attached, or affixed to any motor vehicle, trailer or similar conveyance for the primary purpose of advertising.”

SECTION 4. MPMC § 21.04.797(KK) is amended to read as follows:

- “(KK) **“Real estate sign”** means any sign authorized by Civil Code section 713.”

SECTION 5: MPMC § 21.04.797(MM) is amended to read as follows:

“(MM) **“Sign”** means any structure, device, or material, temporary or permanent, fixed or portable, moving or stationary, whether located inside or outside a building, that is visible from any property where the primary purpose of the sign is to convey visual communication. “Sign” does not include the following:

- (1) Interior signs that are located entirely within an enclosed structure and not visible from the exterior;
- (2) Building features that are only decorative or architectural and do not include lettering, trademarks, or moving parts;
- (3) Symbols of noncommercial organizations or concepts including, without limitation, religious or political symbols when they are permanently integrated into the structure of a building;
- (4) Items or devices of personal apparel, decoration or appearance including, without limitation, tattoos or makeup;
- (5) Traffic, directional, emergency, warning or informational signs required or authorized by a government agency having

jurisdiction;

- (6) Public utility signs;
- (7) Advertisements or banners mounted on duly licensed mass transit vehicles including, without limitation, buses and trains, that legally pass through the city;
- (8) Grave stones or grave markers;
- (9) Words, images, graphics and insignia applied directly to the surface of vehicles or watercraft;
- (10) Foundation stones and corner stones if cut into any masonry surface or inlaid to be part of a building when constructed of bronze or other incombustible material; and
- (11) Newsracks and newsstands.”

SECTION 6. MPMC § 21.24.170 is amended to read as follows:

“21.24.170 Mobile Signs.

Mobile signs are prohibited.”

SECTION 7. MPMC § 21.24.230(I) is amended to read as follows:

“(I) Noncommercial Messages—Residential Uses. Noncommercial signs displayed on residential properties must comply with the following:

- (1) Signs cannot exceed a maximum cumulative area of six square feet.
- (2) Signs cannot exceed a maximum height of eight feet.
- (3) Not more than two noncommercial signs (except campaign signs) may be placed on a lot.
- (4) Freestanding signs must be placed at least five feet back from the property line.
- (5) Illuminated signs are prohibited.”

SECTION 8. MPMC § 21.24.230(P) is amended to read as follows:

“(P) **Temporary Real Estate Directional Signs.** Temporary real estate directional signs authorized by Civil Code section 713 that identify and provide directional information to any property that is offered for sale, lease or exchange must comply with the following:

- (1) Signs must be located only along the most direct single route to the property along arterial streets.
- (2) Not more than one sign is permitted at each intersection.
- (3) Signs must be removed when the subject property is sold or when the event ends.
- (4) Signs cannot exceed nine square feet in area.
- (5) Signs cannot exceed five feet in height.
- (6) Signs cannot be displayed on public property.”

SECTION 9. MPMC § 21.24.510 is amended to read as follows:

“21.24.510 Temporary Freestanding Signs—Number and Time Limits.

- (A) **Residential Zones.** Two temporary freestanding signs per lot are permitted at all times. In addition, one temporary freestanding campaign sign is allowed on each street frontage per lot. All campaign signs must be removed within seven days after an election. Such signs are in addition to all other signage allowed in this chapter.
- (B) **Commercial, Office Professional and Open Space Zones.** Two temporary freestanding noncommercial signs per lot are permitted at all times. In addition, one temporary freestanding campaign sign is allowed on each street frontage per lot. All campaign signs must be removed within seven days after an election. Such signs are in addition to all other signage allowed in this chapter.”

SECTION 10. *Environmental Review.* The City Council finds and determines that this ordinance is not subject to the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.* (“CEQA”)) for the following reasons: (1) it will not result in a direct or reasonably foreseeable indirect physical change in the environment (14 Cal. Code Regs. § 15060(c)(2)); (2) there is no possibility that the ordinance may have a significant effect on the environment (14 Cal. Code Regs. § 15061(b)(3); and (3) the ordinance does not constitute a “project” as defined in the

CEQA Guidelines (14 Cal. Code Regs. § 15378).

SECTION 11. *Construction.* This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 12. *Enforceability.* Repeal of any provision of the MPMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 13. *Validity of Previous Code Sections.* If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the MPMC or other ordinance by this Ordinance will be rendered void and cause such previous MPMC regulation or other ordinance to remain in full force and effect for all purposes.

SECTION 14. *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 15. The City Clerk is directed to certify the passage and adoption of this Ordinance, cause it to be entered into the city of Monterey Park's book of original ordinances, make a note of the passage and adoption in the records of this meeting, and, within fifteen days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 16. This Ordinance will take effect on the 31st day following its final passage and adoption.

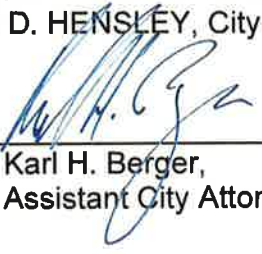
PASSED AND ADOPTED this _____ day of _____,
2015

Peter Chan, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM
MARK D. HENSLEY, City Attorney

By: _____
Karl H. Berger,
Assistant City Attorney